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**GROUP 3600**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket No.: VIEGENER-2

In re PATENT Application of:	)	
WALTER VIEGENER	)	
Appl. No.: 09/200,179	)	
Filed: November 25, 1998	)	Examiner: Luu, T
	)	Group Art Unit: 3627
For: NON-DETACHABLE PRESS FIT	)	
ARRANGEMENT BETWEEN A	)	
FITTING AND AN END PORTION	)	
OF A METAL PIPE	)	

**AMENDMENT UNDER 37 C.F.R. 1.116**

Box AF  
Assistant Commissioner for Patents  
Washington, D.C. 20231

S I R:

This Request for Reconsideration is filed in response to the Official Action issued by the Examiner on March 16, 2001 granting a shortened period for response on June 18, 2001.

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Serial No.: 09/200,179

On January 2, 2001 applicant herein filed a response to the Office Action issued by the Examiner on August 2, 2000, and in which the claims were presented in amended form. In particular, claim 1 specified the securement of the holding element within the socket as well as the particular configuration of the holding element. In the 'Remarks' section Applicant submitted the amended claim as distinguishable over the prior art (Saka and Gotoh on file).

On March 16, 2001, the Examiner issued a further Office Action rejecting the claims over the same prior art. In view of the rejection, applicant requested a personal telephone interview with the Examiner which took place on May 23, 2001. During the Interview, the application was extensively discussed and Applicant submitted arguments setting forth the differences between the prior art and the amended claim. Applicant believes that the points the Examiner raised in the Office Action of August 2, 2000 were obviated by the claims as presented on January 2, 2001. No agreement was reached between Applicant and the Examiner. This request for reconsideration is submitted for the Examiner to revisit her prior decision on the rejection of the claims.

The Examiner had determined that the invention as claimed would be obvious relying for the rejection on references to Gotoh (US Patent No. 4,850,096) in view of Saka (US Patent No. 4,018,462).

At the outset it should be noted that the Saka reference is directed to plastic pipes only. Such is specifically stated at the 'Background of the Invention' since the pipe fitting is designated for elastic materials such as polyethylene and other plastic materials only, whereas the claimed invention is directed to a

nondetachable press-fit of metal pipes. To the extent that plastic behaves differently than metal when a pressure force is applied, the applicability of the Saka to the instant claim is questioned. The press-fit arrangement disclosed in the Saka reference differs substantially from the claimed press fit arrangement as claimed. Indeed, the Saka reference teaches away from the press-fit pipe arrangement as will be discussed in the following paragraphs.

Shown in Fig. 1 in Saka is a pipe section 1 and a socket section 2. Element referenced as 8 and 6 are relevant. Reference 8 designates a leak-proof packing, while element 6 is designated an 'intrusion ring'. The ring is not attached to the socket since it is inserted into the grooves prior to pressing. See col. 2, lines 1-5. As seen in Fig. 3, when press ring 3 is being pressed, the parts of the press ring 3 are squeezed out laterally and these parts (bulged portions 13) are seen as being bulging out between the press tool. Accordingly, applicant submits, intrusion ring 6 must be a C-ring. As a C-ring that is prone to being compressed in the manner as described, ring 6 cannot be (and is not) attached to the fitting socket, see above. The press fitting mechanism as shown in Figs. 1 and 3 permit no other conclusion. For example, if it were assumed that intrusion ring 6 were not a C-ring, its circumference would be fixed and thus upon the application of a pressure force its circumference would either buckle under the torque or split. A clean fitting could not be accomplished by such means. If intrusion ring 6 an unattached C-ring, then upon application of pressure, the ring 6 would gradually be pressed together with the profile of ring 6 being pressed

into the surface of the plastic pipe 1. The reduction in circumference is taken up by the opening of the C ring.

In contrast to this press-fit arrangement, Applicant's claim 1 specifies that the holding element is cold-fit secured to the socket. Clearly, the holding element is thus attached interiorly to the socket as clearly seen in Fig. 1 and in contrast to Saka. Furthermore, the configuration of the holding element as set forth in the claim comprises a number of arcuate protrusions which upon application of pressure are pressed together to penetrate the pipe with a sharp edge. In other words, the need for a reduction in circumference has been accounted for when pressure acts upon the arcuate protrusions. By means of the edge the protrusions cut into the pipe which remains steady in circumference. This operation is unlike that at a plastic pipe where pressure is applied and which possess some "give" in response to pressure.

The Examiner has combined the Saka and Gotoh references as rendering the claimed invention obvious. Gotoh clearly illustrates that the ring 8 must be C-ring which is also described in col. 3, lines 10 to 15 stating that its diameter will be reduced by the application of pressure. While there maybe a groove for the ring 6 in Saka, if the diameter of the socket gets reduced by the pressure, then ring 6 deforms as set out above. While Gotoh shows a metal connection, again the Saka reference is designed only for plastic pipes. The combination of the attached holding element with arcuate protrusions that cut into and the anchoring groove for the sealing is found neither in Gotoh nor Saka and a combination of the two likewise is not possible.

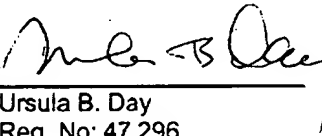
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For the reasons as stated above, it is Applicant's contention that claim 1 patentably distinguishes over the prior art. It is requested that the Examiner reviews claim 1 again in light of the foregoing discussion. Withdrawal of the rejection under 35 USC §103 is thus respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

The Commissioner is hereby authorized to charge fees, which may be required, or credit any overpayment to Deposit Account No. 06-0502.

Respectfully submitted,

By:   
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**FACSIMILE TRANSMISSION**

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